

REMARKS

This Amendment is in response to the Office Action mailed April 8, 2003. Claims 1-9, 11-14, 17-24, 27-28, 33-37, 45-48 and 59-66 are pending in the present application. Applicant has cancelled claims 2-9, 11, 12, 18-24, 28, 36, 37, 46-48, and 59-66, amended claims 33 and 45, and added claims 67-70. It is submitted that no new matter is added. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

I. OBJECTIONS TO THE DRAWINGS

The Examiner objected to the drawings under 37 CFR § 1.83(a) because the drawings must show all features of the invention specified in the claims. New Figures 6-11 have been submitted with this response. New Figures 6-11 do not add new matter and are fully supported by the original disclosure of the present application. New Figures 6-11 help show all of the features in the pending claims. Accordingly, Applicant respectfully requests the rejections under 37 CFR § 1.83(a) be withdrawn.

II. OBJECTIONS TO THE CLAIMS

The Examiner has objected to claims 36, 61 and 64 because of informalities. Claims 36, 61 and 64 have been cancelled. The rejection is now moot. Accordingly, Applicant respectfully requests the objections be withdrawn.

III. REJECTIONS UNDER 35 U.S.C. § 112

The Examiner has rejected claims 1-9, 11-14, 45-48, 59-61, 63, 65 and 66 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant respectfully traverses the rejections for the following reasons:

Applicant has cancelled all claims rejected in section 8 by the Examiner, except claims 1, 13, 14, and 45. Applicant has added drawings to correspond to claims 1, 13, 14, and 45. The drawings do not add new matter and incorporate language from the specification as originally filed. As such, Applicant requests that the rejection be withdrawn.

The Examiner has rejected claims 13, 23-24, 27-28 33-37 and 64 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected to, to make and/or use the invention. Applicant respectfully traverses the rejections for the following reasons:

Applicant has cancelled all claims rejected in section 9 by the Examiner, except claims 13, 27, 33, 34, and 35. Applicant has added drawings to correspond to claims 13, 27, 33, 34, and 35. The drawings do not add new matter and incorporate language from the specification as originally filed. The drawings

help enable a person having ordinary skill in the art to make and use the invention described herein. As such, Applicant requests that the rejection be withdrawn.

IV. REJECTION UNDER 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-4, 9, 11-14, 17-18, 20-24, 27-28, 33-37, 45-48 and 59-66 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. US 5,990,803 issued to Park (Park), in view of U.S. Patent No. US 5,920,642 issued to Merjanian (Merjanian), and further in view of Applicant's Admitted Prior Art (AAPA).

Applicant respectfully traverses the rejections for the following reasons:

I. There is no motivation to combine Park with Merjanian.

Park addresses the problem of a single user controlling multiple devices, and is directed to managing access to the controller. On the other hand, Merjanian addresses the problem of multiple users controlling a single device, and is therefore directed to managing access to the device controlled by the controller. The devices and methods described in Park and Merjanian operate in mutually exclusive situations, and as such there is no motivation to combine these references.

**II. There is no teaching in Park or Merjanian
of using a bio-metric input.**

Neither Park nor Merjanian use a bio-metric input to control access to the device. The present application describes how bio-metric input in its various forms is used to log-on to a device and how a new user can log-in after the initial user with the new user's bio-metric input. Since the prior art, in combination, is devoid of a suggestion of using a bio-metric input component, the claims of the present application are in a condition for allowance.

**III. Park and Merjanian, in light of AAPA, does not include
establishing a system state of the controller, the system
state being the same or similar to a previously used state**

Even if there was a motivation to combine Park with Merjanian and even if Park and Merjanian disclosed the use of a bio-metric input, Park and Merjanian, in light of AAPA, does not include establishing a system state of the controller, the system state being the same or similar to a previously used state.

The Examiner is directed to page 3, line 13 of the present application. When a second user logs in using an AAPA system he or she is brought to a "common starting point", which is inefficient. The user has to "start from scratch" each time (page 3, lines 17-18). For example, if the new user wants to access a CD library or an EPG, they would have to start at an "initial" screen and navigate to the CD library or EPG (pages 3-4, lines 20-23 and 1-4).

This being the case, the present invention would immediately take the user to the EPG or CD library upon log-in removing the inefficient need to navigate there from scratch every time. Thus, AAPA does not return to the "same or a similar system state". Instead it returns to a common system state and the new user starts from scratch every time.

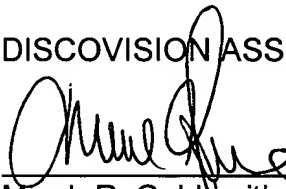
Applicant has considered the Examiner's example on page 11 of the office action, where the system returns to "the previous state, i.e., a state of displaying the letter A". Applicant asserts that the Examiner's example does not completely correspond to AAPA. Instead AAPA in such an example would return to a common or initial screen when the first user logs-back in to the controller. Then the first user would need to navigate to the screen where the letter A is displayed. Therefore, Park, Merjanian, and AAPA, taken alone or in any combination, do not disclose, suggest, or render obvious the claims of the present invention. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. 103(a) be withdrawn.

CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

Respectfully submitted,


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on <u>July 8, 2003</u>	
<u>Susan Myers</u> (Type or print name)	 (Signature)

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